

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

NICHOLAS S. HESS, )  
Plaintiff, )  
v. )  
BRET HILL, et al., )  
Defendants. )  
No. 4:14-CV-2023-CEJ

## **MEMORANDUM AND ORDER**

This matter is before the court on plaintiff's pro se complaint. The complaint is defective because it has not been drafted on a court-provided form, *see* Local Rule 2.06(A), and because plaintiff has neither paid the filing fee nor submitted a motion to proceed in forma pauperis along with a prison account statement, *see* 28 U.S.C. § 1915(a).

Accordingly,

**IT IS HEREBY ORDERED** that the Clerk shall mail to plaintiff a copy of the court's Prisoner Civil Rights Complaint form.

**IT IS FURTHER ORDERED** that the Clerk shall mail to plaintiff a copy of the court's Motion to Proceed in Forma Pauperis - Prisoner Cases form.

**IT IS FURTHER ORDERED** that plaintiff shall file an amended complaint on the court-  
provided form within (30) days of the date of this Order.

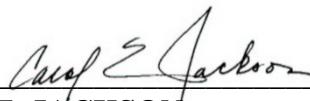
**IT IS FURTHER ORDERED** that plaintiff shall either pay the \$400 filing fee or submit a motion to proceed in forma pauperis within thirty (30) days of the date of this Order.

**IT IS FURTHER ORDERED** that if plaintiff submits a motion to proceed in forma

pauperis, he must also submit a certified copy of his prison account statement for the six month period immediately preceding the filing of his complaint.

**IT IS FURTHER ORDERED** that if plaintiff fails to comply with this Order, the court will dismiss this action without prejudice. If the case is dismissed, the dismissal will not constitute a "strike" under 28 U.S.C. § 1915(g).

Dated this 16th day of December, 2014.



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**CAROL E. JACKSON**  
**UNITED STATES DISTRICT JUDGE**